

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

ORDER OF
JUDICIAL REMOVAL

EDWIN AUTURO ARELLANOS ALDANA

S3 22 CR 541 (KPF)

Defendant.

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Upon the application of the United States of America, by Andrew Jones, Assistant United States Attorney, Southern District of New York; upon the Factual Allegations in Support of Judicial Removal; upon the consent of EDWIN AUTURO ARELLANOS ALDANA (the “defendant”) and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matter set forth herein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native of Guatemala and a citizen of Guatemala.
3. The defendant entered the United States at an unknown time and at an unknown place without admission or parole after inspection by an Immigration Officer.
4. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in this Court of participating in a conspiracy to distribute and possess with intent to distribute mixtures and substances containing a detectable amount of a controlled substance, in particular, cocaine, in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(C).
5. A maximum sentence of 20 years’ imprisonment may be imposed for this offense.


6. The defendant is subject to removal pursuant to : (1) Section 212(a)(6)(A)(i) of the Immigration and Nationality Act of 1952, as amended, 8 U.S.C. § 1182(a)(6)(A)(i) as an alien present in the United States without being admitted or paroled, or who arrives in the United States at any time or place other than as designated by the Attorney general; (2) Section 212(a)(2)(A)(i)(II) of the Immigration and Nationality Act of 1952 (“INA”), as amended, 8 U.S.C. § 1182 (a)(2)(A)(i)(II) as an alien convicted of, or who admits having committed or who admits committing acts which constitute the essential elements of a violation of (or a conspiracy or attempt to violate) any law or regulation of a State, the United States, or a foreign country relating to a controlled substance (as defined in section 802 of title 21); and (3) INA section 212(a)(2)(C)(i), 8 U.S.C. § 1182(a)(2)(C)(i), as an alien who the consular officer or Attorney General knows or has reason to believe is or has been an illicit trafficker in any controlled substance or in any listed chemical (as defined in section 802 of title 21), or is or has been a knowing aider, abettor, assister, conspirator, or colluder with others in the illicit trafficking in any such controlled or listed substance or chemical, or endeavored to do so.

7. The defendant has waived his right to notice and a hearing under section 238(c) of the INA, 8 U.S.C. § 1228(c).

8. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.

THEREFORE, it is ordered that, pursuant to INA section 238(c), 8 U.S.C. § 1228(c), the defendant be removed from the United States to Guatemala promptly upon his satisfaction of any sentence of imprisonment, or, if the defendant is not sentenced to a term of imprisonment, promptly upon his sentencing.

Dated: New York, New York
June 30, 2023



THE HONORABLE KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE